

CLOSED

U.S. District Court
United States District Court for the Western District of Washington (Seattle)
CRIMINAL DOCKET FOR CASE #: 2:05-cr-00085-RSM-1

Case title: USA v. Spink
Magistrate judge case number: 2:05-mj-00097-MJB

Date Filed: 03/03/2005
Date Terminated: 11/18/2005

Assigned to: Judge Ricardo S
Martinez

Appeals court case number:
10-30219 9th Circuit

Defendant (1)

Douglas Spink
TERMINATED: 11/18/2005

represented by **Howard Phillips**
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TERMINATED: 04/14/2010
Designation: CJA Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

Possession of Cocaine w/Intent to
Distribute 21:841(a)(1)
&841(b)(1)(A)
(1)

Disposition

36 months custody BOP, 60 months supervised
release w/special conditions, fine waived, \$100.00
special assessment

**Highest Offense Level
(Terminated)**

Felony

Complaints

21:841(a)(1), 841(b)(1)(A)
Possession of Cocaine with Intent
to Distribute

Disposition

Plaintiff

USA

represented by **Susan M Roe**
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/01/2005	<u>1</u>	COMPLAINT as to Douglas Spink (1). (HAZ,) [2:05-mj-00097-MJB] (Entered: 03/02/2005)
03/01/2005		Arrest of Douglas Spink on 3/1/2005. (HAZ,) [2:05-mj-00097-MJB] (Entered: 03/02/2005)
03/01/2005	<u>3</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER Jennifer Wellman by Judge Monica J. Benton. (HAZ,) [2:05-mj-00097-MJB] (Entered: 03/02/2005)
03/01/2005	<u>4</u>	MOTION for Detention by USA as to Douglas Spink. (HAZ,) [2:05-mj-00097-MJB] (Entered: 03/02/2005)
03/01/2005	<u>5</u>	Minute Entry for proceedings held before Judge Monica J. Benton – CRD: AE; AUSA: R FRIEDMAN; Def Cnsl: J WELLMAN; PTS: S CAVENDISH; Time of Hearing: 2:30 PM; Courtroom: 12B; INITIAL APPEARANCE as to Douglas Spink held on 3/1/2005. Agent sworn and signs complaint. CT signs complaint. CT reviews financial affidavit and appoints counsel. Defendant(s) advised of rights and charges. Govt moves for detention, hearing set. Defendant(s) remanded to custody. Detention Hearing set for 3/8/2005 02:00 PM before Mary Alice Theiler. Preliminary Examination set for 3/15/2005 09:30 AM before Mary Alice Theiler. (HAZ,) [2:05-mj-00097-MJB] (Entered: 03/02/2005)
03/03/2005	<u>6</u>	INDICTMENT as to Douglas Spink (1) count(s) 1. (Attachments: # <u>1</u> Status Sheet) (JK,) (Entered: 03/04/2005)
03/03/2005	<u>7</u>	SEALED Signature Page to <u>6</u> Indictment as to Douglas Spink. (JK,) (Entered: 03/04/2005)
03/03/2005	<u>8</u>	ORDER CONTINUING TEMPORARY DETENTION as to Douglas Spink by Judge Monica J. Benton. (JK,) (Entered: 03/04/2005)
03/08/2005	<u>9</u>	Minute Entry for proceedings held before Judge Mary Alice Theiler – CRD: J Nothorn; AUSA: Ronald Friedman; Def Cnsl: Jeffrey Steinborn; PTS: Sarah Cavendish; Time of Hearing: 2:00; Courtroom: 12B; DETENTION HEARING as to Douglas Spink held on 3/8/2005. Defendant advised of new charges in the indictment. Defendant asks to have arraignment set over to the regular arraignment calendar. GRANTED. Government moves for detention pending trial. Defense stipulates to detention at this time– to be re-opened if new facts arise. Defendant ORDERED detained. Defendant remanded to custody. Arraignment set for 3/10/2005 09:00 AM before Mary Alice Theiler. (JN,) (Entered: 03/08/2005)
03/09/2005	<u>10</u>	DETENTION ORDER PENDING TRIAL as to Douglas Spink by Judge Mary Alice Theiler. (cc: PTS, USMO) (RS,) (Entered: 03/09/2005)
03/10/2005	<u>11</u>	Minute Entry for proceedings held before Judge Mary Alice Theiler – CRD: J Nothorn; AUSA: Ronald Friedman; Def Cnsl: Jeffrey Steinborn; Time of Hearing: 9:00; Courtroom: 12B; ARRAIGNMENT as to Douglas Spink (1) Count 1 held on 3/10/2005. Defendant advised of charges and penalties. Defendant pleads NOT GUILTY to all charges. Defense Counsel requests discovery pursuant to Local Rule. Defendant remanded to custody. Motions due by 3/31/2005; Jury Trial set for 5/16/2005 09:00 AM before Hon. Ricardo Martinez. (JN,) (Entered: 03/10/2005)
03/22/2005	<u>12</u>	NOTICE OF ATTORNEY SUBSTITUTION Jeffrey Steinborn is substituted as counsel for dft Douglas Spink. (Steinborn, Jeffrey) (Entered: 03/22/2005)
03/31/2005	<u>13</u>	Agreed MOTION to Continue <i>Pretrial Motions Deadline</i> by Douglas Spink. Noting Date 3/31/2005. (Attachments: # <u>1</u> Proposed Order Continuing Pretrial Motions Deadline)(Steinborn, Jeffrey) (Entered: 03/31/2005)
04/07/2005	<u>14</u>	NOTICE OF ATTORNEY APPEARANCE Jill Otake appearing for USA. <i>Notice of Additional Counsel</i> (Otake, Jill) (Entered: 04/07/2005)
04/14/2005	<u>15</u>	ORDER CONTINUING PRETRIAL MOTIONS DATE as to Douglas Spink re <u>13</u> Agreed MOTION to Continue <i>Pretrial Motions Deadline</i> filed by Douglas Spink,

		by Judge Ricardo Martinez. (cc: PTS/USPO, USMO) Pretrial Motions due by 4/29/2005. (LMS,) (Entered: 04/14/2005)
04/28/2005	<u>16</u>	Agreed MOTION to Continue <i>Pretrial Motions Deadline & Trial Date</i> by Douglas Spink. Noting Date 4/29/2005. (Attachments: # <u>1</u> Proposed Order Granting Motion to Continue Pretrial Motions Deadline & Trial Date)(Steinborn, Jeffrey) (Entered: 04/28/2005)
04/29/2005	<u>17</u>	ORDER appointing new counsel as to Douglas Spink by Judge James P Donohue. (HAZ,) (Entered: 04/29/2005)
05/02/2005	<u>18</u>	NOTICE OF ATTORNEY APPEARANCE Susan M Roe appearing for USA. (Roe, Susan) (Entered: 05/02/2005)
05/02/2005	<u>19</u>	NOTICE <i>Government's Notice of Withdrawal of Counsel</i> by USA as to Douglas Spink (Otake, Jill) (Entered: 05/02/2005)
05/03/2005	<u>21</u>	ORDER CONTINUING TRIAL DATE as to Douglas Spink by Judge Ricardo Martinez. (cc: PTS/USPO, USMO) Jury Trial is set for 7/11/2005 before Hon. Ricardo Martinez. Motions due by 6/6/2005; time excluded. (RS,) (Entered: 05/04/2005)
05/11/2005	<u>22</u>	CJA 20 as to Douglas Spink: Appointment of Attorney John Winn Wolfe for Douglas Spink signed by Judge James P Donohue.(RS,) (Entered: 05/12/2005)
06/13/2005	<u>23</u>	NOTICE of Related Case 05-172 05-173 filed by attorney Ronald J Friedman. (Friedman, Ronald) (Entered: 06/13/2005)
07/06/2005	24	Minute Entry for proceedings held before Judge Mary Alice Theiler – CRD: <i>Peter Voelker</i> ; AUSA: <i>Ron Friedman</i> ; Def Cnsl: <i>John Wolfe</i> ; Time of Hearing: 2:00pm; Courtroom: 12B; CHANGE OF PLEA HEARING as to Douglas Spink held on 7/6/2005. Defendant present in custody. Defendant placed under oath and advised of rights/charges/penalties; Defendant executes Consent to Rule 11 Plea in a felony case before a U.S. Magistrate Judge; Defendant DOB = 1971; Education = B.A; Court reviews the plea agreement – FILED UNDER SEAL; Douglas Spink (1) pleads GUILTY to Count 1. Remaining Counts to be dismissed at sentencing. Court finds the Defendant is competent to enter a guilty plea; Court signs the Report and Recommendation and Counsel have ten days to file objections; Court orders the preparation of a Presentence Report. Defendant remanded to custody. Sentencing set for 10/7/2005 at 10:30 AM in Courtroom 13206 before Hon. Ricardo Martinez. (AE,) (Entered: 07/07/2005)
07/06/2005	<u>25</u>	CONSENT TO RULE 11 PLEA in a felony case as to Douglas Spink (AE,) (Entered: 07/07/2005)
07/06/2005	<u>26</u>	SEALED PLEA AGREEMENT as to Douglas Spink. (CC: AUSA, Defense Counsel) (AE,) (Entered: 07/07/2005)
07/06/2005	<u>27</u>	REPORT AND RECOMMENDATION re Plea of Guilty as to Douglas Spink by Judge Mary Alice Theiler. (cc: USPO) Noting Date 7/21/2005. (Attachments: # <u>1</u> Proposed Acceptance of Plea) (AE,) (Entered: 07/07/2005)
07/22/2005	<u>28</u>	NOTICE of Related Case 05-172RSM; 05-173RSM; 05-284C; 05-283C filed by attorney Ronald J Friedman. (Friedman, Ronald) (Entered: 07/22/2005)
07/22/2005	<u>29</u>	ORDER OF ACCEPTANCE OF PLEA OF GUILTY, ADJUDICATION OF GUILT, AND NOTICE OF SENTENCING as to Douglas Spink by Judge Ricardo Martinez. (cc: USPO) (RS,) (Entered: 07/22/2005)
09/27/2005		Reset Hearings as to Douglas Spink: Sentencing reset at request of counsel (def) for 11/18/2005 11:00 AM before Hon. Ricardo S Martinez. (LC,) (Entered: 09/27/2005)
11/10/2005	<u>30</u>	SEALED DOCUMENT Sentencing Memorandum and 5K1.1 Motion by USA as to Douglas Spink (Attachments: # <u>1</u> Attachment A# <u>2</u> Attachment B)(Friedman, Ronald) (Entered: 11/10/2005)

11/18/2005	<u>31</u>	Minute Entry for proceedings held before Judge Ricardo S Martinez – CRD: <i>Lowell Williams</i> ; AUSA: <i>Ronald Friedman & Susan Roe</i> ; Def Cnsl: <i>John Wolfe</i> ; USPO: <i>Mike Banks</i> ; Court Reporter: <i>Laurene Kelly</i> ; Time of Hearing: <i>11:00 AM</i> ; Courtroom: <i>13206</i> ; SENTENCING held on 11/18/2005 for Douglas Spink (1), Count 1: 36 months custody BOP, 60 months supervised release w/special conditions, fine waived, \$100.00 special assessment. At dft's request, Court recommends placement at Sheridan Camp & participation in 500-hour drug treatment program. Defendant remanded to custody. (LW) (Entered: 11/18/2005)
11/18/2005	<u>32</u>	JUDGMENT as to Douglas Spink by Judge Ricardo S Martinez. (cc: USPO, PTS, USMO, FLU, Fin.) (RS,) (Entered: 11/21/2005)
11/25/2005	<u>33</u>	TRANSCRIPT of Proceedings (Remarks by Mr. Friedman) as to Douglas Spink held on November 18, 2005 before Judge Ricardo S. Martinez. Court Reporter: Laurene Kelly. (MKB) (Entered: 11/28/2005)
01/24/2006	<u>34</u>	Judgment Returned Executed as to Douglas Spink on 12/20/05. (RS,) (Entered: 01/25/2006)
04/14/2010	<u>38</u>	CJA 20 as to Douglas Spink: Appointment of Attorney Howard Phillips for Douglas Spink signed by Hon. Brian A Tsuchida. (HAZ) (Entered: 04/15/2010)
04/14/2010	39	Minute Entry for proceedings held before Hon. Brian A Tsuchida– CRD: <i>HAZ</i> ; AUSA: <i>S ROE</i> ; Def Cnsl: <i>H PHILLIPS</i> ; USPO: <i>J VAN FLANDERN FOR J ROBSON</i> ; Time of Hearing: <i>2:30PM</i> ; Courtroom: <i>12B</i> ; INITIAL APPEARANCE RE REVOCATION OF SUPERVISED RELEASE as to Douglas Spink held on 4/14/2010. Defendant(s) remanded to custody. Evidentiary Hearing on Revocation of Supervised Release set for 4/19/2010 at 11:00 AM before Hon. Brian A Tsuchida. Detention Hearing set for 4/16/2010 at 11:30 AM before Hon. Brian A Tsuchida. (HAZ) (Entered: 04/15/2010)
04/15/2010	<u>41</u>	Warrant Returned Executed on 4/14/10 in case as to Douglas Spink. (RS) (Entered: 04/16/2010)
04/16/2010	40	Minute Entry for proceedings held before Hon. Brian A Tsuchida– CRD: <i>phv</i> ; AUSA: <i>Susan Roe & Steven Masada</i> ; Def Cnsl: <i>Howard Phillips</i> ; USPO: <i>Jeff Robson</i> ; Court Reporter: <i>digital recording</i> ; Time of Hearing: <i>11:45am</i> ; Courtroom: <i>12B</i> ; DETENTION HEARING as to Douglas Spink held on 4/16/2010. Ms Roe argues for detention; advises that is the position of the probation officer. Court reviews photographs govt submits in support of motion to detain. Mr Phillips addresses the Court – proffers and argues for release. Court makes findings – Defendant ORDERED detained and remanded to custody. (PV) (Entered: 04/16/2010)
04/19/2010		Reset Hearing as to Douglas Spink: Evidentiary Hearing on Revocation of Supervised Release set for 4/30/2010 at 09:00 AM in Courtroom 12B before Hon. Brian A Tsuchida. (PV) (Entered: 04/19/2010)
04/20/2010	<u>42</u>	NOTICE of Unavailability of attorney Howard Phillips from 5–21–2010 to 5/27/2010 (Phillips, Howard) (Entered: 04/20/2010)
04/27/2010		Reset Hearing as to Douglas Spink: At the request of the parties, the Evidentiary Hearing on Revocation of Supervised Release is rescheduled to 5/12/2010 at 10:30 AM in Courtroom 12B before Hon. Mary Alice Theiler. (PV) (Entered: 04/27/2010)
04/28/2010	<u>43</u>	PROBATION PETITION/ORDER as to Douglas Spink re: supplemental violation by Judge Ricardo S Martinez. (cc: USPO) (MD) (Entered: 04/29/2010)
05/04/2010	<u>45</u>	MOTION to Compel <i>Discovery</i> by Douglas Spink. (Attachments: # <u>1</u> Exhibit) Noting Date 5/7/2010, (Phillips, Howard) (Entered: 05/04/2010)
05/07/2010	<u>46</u>	NOTICE OF ATTORNEY APPEARANCE Steven Toshio Masada appearing for USA. (Masada, Steven) (Entered: 05/07/2010)
05/07/2010	<u>47</u>	RESPONSE, by USA as to Douglas Spink, to <u>45</u> MOTION to Compel <i>Discovery</i> . (Masada, Steven) (Entered: 05/07/2010)

05/10/2010	<u>48</u>	SEALED STIPULATED PROTECTIVE ORDER RE DISCOVERY signed by Judge Ricardo S Martinez. (RS)cc cnsI (Entered: 05/11/2010)
05/12/2010		Set Hearings as to Douglas Spink: Evidentiary Hearing on Revocation of Supervised Release set for 6/1/2010 at 9:30 AM before Judge Ricardo S. Martinez. (LW) (Entered: 05/12/2010)
05/27/2010		Reset TIME of Hearings as to Douglas Spink: Evidentiary Hearing on Revocation of Supervised Release set for 6/1/2010 at 9:00 AM before Judge Ricardo S. Martinez. (LW) (Entered: 05/27/2010)
05/28/2010		Reset Hearings as to Douglas Spink: At defense counsel's unopposed request, Evidentiary Hearing on Revocation of Supervised Release reset for 6/14/2010 at 9:00 AM before Judge Ricardo S. Martinez. (LW) (Entered: 05/28/2010)
06/01/2010	<u>49</u>	PRAECIPE FOR A SUBPOENA by Douglas Spink (Phillips, Howard) Modified on 6/2/2010/clerk issued subpoenas and mailed to cnsI for service (RS). (Entered: 06/01/2010)
06/08/2010		Reset Hearings as to Douglas Spink: Evidentiary Hearing on Revocation of Supervised Release remains set for 6/14/2010; NOTE NEW TIME is 02:00 PM before Judge Ricardo S Martinez. (LC) (Entered: 06/08/2010)
06/09/2010	<u>50</u>	MEMORANDUM <i>RE EVIDENTIARY HEARING</i> by USA as to Douglas Spink (Attachments: # <u>1</u> Attachments A through E)(Roe, Susan) (Entered: 06/09/2010)
06/10/2010	<u>51</u>	MEMORANDUM <i>RE: EVIDENTIARY HEARING</i> by Douglas Spink (Attachments: # <u>1</u> Exhibit)(Phillips, Howard) (Entered: 06/10/2010)
06/10/2010	<u>52</u>	MOTION to Exclude <i>EXPERT TESTIMONY</i> by USA as to Douglas Spink (Attachments: # <u>1</u> Attachment, # <u>2</u> Proposed Order) Noting Date 6/11/2010, (Masada, Steven) (Entered: 06/10/2010)
06/10/2010	<u>53</u>	MEMORANDUM <i>Amended</i> by Douglas Spink (Attachments: # <u>1</u> Exhibit)(Phillips, Howard) (Entered: 06/10/2010)
06/11/2010	<u>54</u>	EXHIBIT <i>LIST</i> by USA as to Douglas Spink re Set/Reset Hearings (Masada, Steven) (Entered: 06/11/2010)
06/13/2010	<u>55</u>	MEMORANDUM <i>Supplemental</i> by Douglas Spink (Phillips, Howard) (Entered: 06/13/2010)
06/13/2010	<u>56</u>	RESPONSE to <i>Defendant's Memoranda and Motions In Limine</i> by USA as to Douglas Spink re <u>53</u> Memorandum filed by Douglas Spink (Masada, Steven) (Entered: 06/13/2010)
06/14/2010	<u>57</u>	AMENDMENT to <u>54</u> Exhibit <i>LIST</i> by USA as to Douglas Spink (Masada, Steven) (Entered: 06/14/2010)
06/14/2010	58	Minute Entry for proceedings held before Judge Ricardo S Martinez- CRD: <i>Laurie Cuaresma</i> ; AUSA: <i>Susan Roe, Steven Masada</i> ; Def Cnsl: <i>Howard Phillips</i> ; USPO: <i>Jeff Robson</i> ; Court Reporter: <i>Nancy Bauer</i> ; Time of Hearing: <i>2:00 PM</i> ; REVOCATION OF SUPERVISED RELEASE EVIDENTIARY HEARING as to Douglas Spink held on 6/14/2010. Dft admits Violation #3; based on that admission the Court finds violation occurred. Evidentiary hearing on remaining violation proceeds. Govt witnesses called: JEFF ROBSON, STEVEN AARON ROFF, STEPHEN CLARKE (per agreement of parties: by affidavit and proffer). Court makes findings on the record: violations 1,2 and 4 were proven. Final Hearing re Revocation of Supervised Release set for 7/16/2010 at 02:00 PM before Judge Ricardo S Martinez. Defendant remanded to custody. (LC) (Entered: 06/14/2010)
06/14/2010	<u>59</u>	SEALED AFFIDAVIT of Stephen Clarke re Douglas Spink; part of record for 6/14/10 evid hrg (RS) (Entered: 06/16/2010)
06/14/2010	<u>60</u>	SEALED PROFFER of Stephen Clarke re Douglas Spink; presented during 6/14/10 evid hrg (RS) (Entered: 06/16/2010)

07/13/2010	<u>61</u>	SENTENCING MEMORANDUM by USA as to Douglas Spink (Attachments: # <u>1</u> Appendix)(Masada, Steven) (Entered: 07/13/2010)
07/13/2010	<u>62</u>	SENTENCING MEMORANDUM by Douglas Spink (Attachments: # <u>1</u> Exhibit)(Phillips, Howard) (Entered: 07/13/2010)
07/15/2010	<u>63</u>	EXHIBIT <i>Defendant's Letters</i> by Douglas Spink re <u>62</u> Sentencing Memorandum (Phillips, Howard) (Entered: 07/15/2010)
07/15/2010	<u>64</u>	SENTENCING MEMORANDUM by Douglas Spink (Attachments: # <u>1</u> Exhibit)(Phillips, Howard) (Entered: 07/15/2010)
07/16/2010	<u>65</u>	Minute Entry for proceedings held before Judge Ricardo S. Martinez– CRD: <i>Lowell Williams</i> ; AUSA: <i>Steven Masada, Susan Roe</i> ; Def Cnsl: <i>Howard Phillips</i> ; USPO: <i>Michael Larson for Jeff Robson</i> ; Court Reporter: <i>Debbie Zurn</i> ; Time of Hearing: <i>2:00 PM</i> ; Courtroom: <i>13206</i> ; FINAL HEARING RE REVOCATION OF SUPERVISED RELEASE as to Douglas Spink held on 7/16/2010. Court revokes term of supervision and imposes 36 months custody BOP, 24 months supervised release to follow with standard and special conditions set forth in judgment form. At dft's request, Court recommends placement at Sheridan and participation in RDAP, if appropriate. Dft remanded to custody. (LW) (Entered: 07/16/2010)
07/16/2010	<u>66</u>	JUDGMENT ON REVOCATION OF PROBATION/SUPERVISED RELEASE as to Douglas Spink by Judge Ricardo S Martinez. (cc: USPO, FLU, Fin.,USMO Sea Tac Det) (RS) (Entered: 07/16/2010)
07/20/2010	<u>67</u>	NOTICE OF APPEAL (10–30219) by Douglas Spink. Filing Fee:. (Phillips, Howard) Modified on 7/22/2010 (SA). (Entered: 07/20/2010)
07/21/2010		Appeal Fees NOT received: CJA APPOINTED 3/1/05 as to Douglas Spink re <u>67</u> Notice of Appeal : (SA) (Entered: 07/21/2010)
07/21/2010	<u>68</u>	APPEAL NOTIFICATION packet as to Douglas Spink sent to US Court of Appeals re <u>67</u> Notice of Appeal (Attachments: # <u>1</u> docket)(SA) (Entered: 07/21/2010)
07/22/2010	<u>69</u>	TIME SCHEDULE ORDER as to <u>67</u> Notice of Appeal filed by Douglas Spink. Transcript designation due by 8/10/10; Transcripts due by 9/9/10; Appellant opening brief due by 10/19/10; Appellee response brief due by 11/18/10; optional reply brief due within 14 days of service of response brief. (SA) (Entered: 07/22/2010)
07/22/2010	<u>70</u>	USCA Case Number as to Douglas Spink 10–30219 for <u>67</u> Notice of Appeal filed by Douglas Spink. (SA) (Entered: 07/22/2010)
08/24/2010	<u>71</u>	MOTION for Return of Property/PostTrial by Douglas Spink. (Attachments: # <u>1</u> Exhibit) Noting Date 9/3/2010, (Phillips, Howard) (Entered: 08/24/2010)
08/31/2010	<u>72</u>	RESPONSE, by USA as to Douglas Spink, to <u>71</u> MOTION for Return of Property/PostTrial. (Attachments: # <u>1</u> Declaration of AUSA Steven Masada)(Masada, Steven) (Entered: 08/31/2010)
09/14/2010	<u>73</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Revocation/Evidentiary Hearing held on 6/14/2010 before Judge Ricardo S. Martinez. Parties have ten (10) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Information regarding the policy can be found on the court's website at www.wawd.uscourts.gov.

		To purchase a copy of the transcript contact court reporter Nancy Bauer by telephone at 206-370-8506. Release of Transcript Restriction set for 12/13/2010, (SA) (Entered: 09/14/2010)
09/14/2010	<u>74</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Sentencing held on 7/16/2010 before Judge Ricardo S. Martinez. Parties have ten (10) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Information regarding the policy can be found on the court's website at www.wawd.uscourts.gov. To purchase a copy of the transcript contact court reporter Debbie K. Zurn by telephone at 206-370-8504. Release of Transcript Restriction set for 12/13/2010, (SA) (Entered: 09/14/2010)
09/15/2010	<u>75</u>	ORDER denying dft's <u>71</u> Motion for Return of Personal Property; as to Douglas Spink (1) by Judge Ricardo S Martinez.(RS) (Entered: 09/16/2010)
05/25/2011	<u>76</u>	MEMORANDUM of USCA (10-30219 NOT THE MANDATE) as to Douglas Spink re <u>67</u> Notice of Appeal. AFFIRMED. (SA) (Entered: 05/25/2011)
07/22/2011	<u>77</u>	ORDER of USCA (10-30219) as to Douglas Spink re <u>67</u> Notice of Appeal; Judges McKeown, Callahan and Schroeder vote to deny the petition for rehearing and the petition for rehearing en banc, as well as the motion to stay the mandate. The full court has been advised of the petition for rehearing en banc and no active judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35. The petition for rehearing, the petition for rehearing en banc, and the motion to stay the mandate are DENIED. (LMK) (Entered: 07/22/2011)
08/04/2011	<u>78</u>	MANDATE of USCA (10-30219) as to Douglas Spink re <u>67</u> Notice of Appeal The judgment of this Court, entered May 24, 2011, takes effect this date AFFIRMED(SA) (Entered: 08/04/2011)
11/09/2011	<u>79</u>	Second MOTION for Return of Property/PostTrial by Douglas Spink. Oral Argument Requested. (Attachments: # <u>1</u> Exhibit) Noting Date 11/18/2011, (Phillips, Howard) (Entered: 11/09/2011)
11/22/2011	<u>80</u>	MOTION for Return of Property/PostTrial by USA as to Douglas Spink (Roe, Susan) (Entered: 11/22/2011)
11/22/2011		***Motions terminated as to Douglas Spink: <u>80</u> MOTION for Return of Property/PostTrial filed by USA. Document filed in Error. Counsel will re-file. (JJT) (Entered: 11/22/2011)
11/22/2011	<u>81</u>	RESPONSE, by USA as to Douglas Spink, to <u>79</u> Second MOTION for Return of Property/PostTrial. (Roe, Susan) (Entered: 11/22/2011)
12/01/2011	<u>82</u>	Minute Entry for proceedings held before Judge Ricardo S. Martinez- CRD: Lowell Williams; AUSA: Susan Roe; Def Cnsl: Howard Ratner; USPO: Tim Manion, Jeff Robson; Time of Hearing: 11:00 AM; Telephone Conference as to Douglas Spink held on 12/1/2011 re <u>79</u> Second MOTION for Return of Property/PostTrial filed by Douglas Spink. Court hears from counsel and USPO and re-notes motion to 1/13/2012. Unless dft can provide authority to support his position, Court will order USPO to clean hard drive before returning computer to dft. (LW) (Entered: 12/01/2011)
01/13/2012	<u>83</u>	MEMORANDUM <i>Return of Property</i> by Douglas Spink re <u>80</u> Motion for Return of Property/PostTrial filed by USA (Attachments: # <u>1</u> Exhibit)(Phillips, Howard)

		(Entered: 01/13/2012)
02/10/2012	<u>84</u>	PROPOSED ORDER (Unsigned) re <u>83</u> Memorandum filed by Douglas Spink (Roe, Susan) (Entered: 02/10/2012)
02/13/2012	<u>85</u>	ORDER on dft's <u>79</u> Motion for Return of Property; as to Douglas Spink (1) by Judge Ricardo S Martinez.(RS)cc USPO (Entered: 02/14/2012)
02/19/2012	<u>86</u>	NOTICE OF APPEAL (12-30068) by Douglas Spink re <u>85</u> Order on Motion for Return of Property/PostTrial. Filing Fee:. (Phillips, Howard) Modified on 2/21/2012; added CCA case number (LMK). (Entered: 02/19/2012)
02/21/2012		Appeal Fees not received; Counsel appointed 3/1/05 as to Douglas Spink re <u>86</u> Notice of Appeal. (LMK) (Entered: 02/21/2012)
03/12/2012	<u>87</u>	MOTION Stay Pending Appeal re <u>85</u> Order on Motion for Return of Property/PostTrial by Douglas Spink. Noting Date 3/23/2012, (Phillips, Howard) (Entered: 03/12/2012)
03/28/2012	<u>88</u>	ORDER granting dft's <u>87</u> Motion staying directive to wipe computers pending appeal in 9th CCA as to Douglas Spink (1) by Judge Ricardo S Martinez.(RS) (Entered: 03/28/2012)
04/30/2013		Set Hearings as to Douglas Spink: In-court Hearing re modification of conditions of release set for 5/17/2013 at 01:30 PM before Judge Ricardo S Martinez. (LC) (Entered: 04/30/2013)
04/30/2013	<u>95</u>	CJA 20 as to Douglas Spink: Appointment of Attorney Howard L. Phillips for Douglas Spink signed by Judge Ricardo S Martinez. (CJA1,) (Entered: 06/14/2013)
05/09/2013	<u>89</u>	MEMORANDUM of USCA (NOT THE MANDATE 12-30068) as to Douglas Spink re <u>86</u> Notice of Appeal AFFIRMED. (SA) (Entered: 05/09/2013)
05/14/2013	<u>90</u>	MEMORANDUM <i>for Modification Hearing</i> by Douglas Spink (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Phillips, Howard) (Entered: 05/14/2013)
05/17/2013	91	Minute Entry for proceedings held before Judge Ricardo S. Martinez- CRD: <i>Lowell Williams</i> ; AUSA: <i>Steven Masada</i> ; Def Cnsl: <i>Howard Phillips</i> ; USPO: <i>Steven Gregoryk</i> ; Court Reporter: <i>Kari McGrath</i> ; Time of Hearing: <i>1:30 PM</i> ; HEARING TO MODIFY CONDITIONS OF SUPERVISION as to Douglas Spink held on 5/17/2013. Court deletes the special condition that dft participate in polygraph testing. All other conditions of supervision remain in effect. Clerk to enter minute order. (LW) (Entered: 05/17/2013)
05/17/2013	<u>92</u>	MINUTE ORDER as to Douglas Spink: The special conditions of release imposed on July 16, 2010 are modified to delete the condition that the dft partipate in polygraph testing. All other conditions of supervision remain in full force and effect, at the direction of Ricardo S. Martinez. (cc: USPO) (LW) (Entered: 05/17/2013)
06/03/2013	<u>93</u>	MANDATE of USCA (12-30068) as to Douglas Spink re <u>86</u> Notice of Appeal; The judgment <u>89</u> of this Court, entered May 09, 2013, takes effect this date.This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.AFFIRMED. (LMK) (Entered: 06/03/2013)
06/10/2013	<u>94</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Hearing to Modify Conditions of Supervision held on 5/17/2013 before Judge Ricardo S. Martinez. Parties have ten (10) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such Notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Information regarding the policy can be found on the court's website at

		www.wawd.uscourts.gov . To purchase a copy of the transcript, contact court reporter Kari McGrath by telephone at 206-370-8509 or by e-mail at kari_mcgrath@wawd.uscourts.gov. Release of Transcript Restriction set for 9/9/2013, (KM) (Entered: 06/10/2013)
03/04/2014	<u>98</u>	Minute Entry for proceedings held before Hon. Mary Alice Theiler- CRD: <i>B. Beetham</i> ; AUSA: <i>Annette Hayes for Steven Masada</i> ; Def Cnsl: <i>Corey Endo for Howard Phillips</i> ; USPO: <i>Rick Cowan</i> ; Court Reporter: <i>Digital Recording</i> ; Time of Hearing: <i>2:20 p.m.</i> ; Courtroom: <i>12B</i> ; INITIAL APPEARANCE AND DETENTION HEARING RE REVOCATION OF SUPERVISED RELEASE as to Douglas Spink held on 3/5/2014. Defendant present in custody. Defendant advised of rights. Financial Affidavit reviewed, Counsel appointed. Defendant advised of allegations 1-2 in the SR Violation Petition and penalties. Defendant DENIES allegations 1-2, Evidentiary Hearing set. Government seeking detention, Counsel does not contest detention at this time. Defendant remanded to custody. Evidentiary Hearing on Revocation of Supervised Release set for 3/27/2014 at 01:30 PM in Courtroom 13206 before Judge Ricardo S Martinez. (BB) (Entered: 03/05/2014)
03/04/2014	<u>100</u>	CJA APPOINTMENT signed by Hon. Mary Alice Theiler. (BB) (Entered: 03/05/2014)
03/04/2014	<u>101</u>	Warrant Returned Executed on 3/4/14 in case as to Douglas Spink. (RS) (Entered: 03/05/2014)
03/11/2014	<u>102</u>	ORDER/SUPPLEMENTAL PETITION FOR OFFENDER UNDER SUPERVISION (12C) incorporating violations as to Douglas Spink by Judge Ricardo S Martinez. (cc: USPO, CJA) (RS) (Entered: 03/11/2014)
03/18/2014		Reset Hearing TIME as to Douglas Spink: Evidentiary Hearing on Revocation of Supervised Release set for 3/27/2014 at 02:15 PM before Judge Ricardo S Martinez. (LC) (Entered: 03/18/2014)
03/27/2014	<u>104</u>	Minute Entry for proceedings held before Judge Ricardo S. Martinez- CRD: <i>Lowell Williams</i> ; AUSA: <i>Steven Masada</i> ; Def Cnsl: <i>Howard Phillips</i> ; USPO: <i>Steven Gregoryk</i> ; Court Reporter: <i>Nancy Bauer</i> ; Time of Hearing: <i>2:15 PM</i> ; DETENTION HEARING as to Douglas Spink held on 3/27/2014. Court hears argument from cnsl; Dft ORDERED detained. Evidentiary Hearing on Revocation of Supervised Release set for 4/2/2014 at 9:00 AM. AFTER COURT, HEARING RESET TO 4/1/2014 AT 10:00 AM. Dft remanded to custody. (LW) (Entered: 03/28/2014)
03/28/2014		Reset Hearings as to Douglas Spink: By agreement of the parties, Evidentiary and Disposition Hearing on Revocation of Supervised Release reset for 4/4/2014 at 9:00 AM before Judge Ricardo S. Martinez. (LW) (Entered: 03/28/2014)
03/31/2014	<u>105</u>	PRAECIPE FOR A SUBPOENA by Douglas Spink (Phillips, Howard) Modified on 4/1/2014/clerk iss'd (RS). (Entered: 03/31/2014)
04/03/2014	<u>106</u>	MEMORANDUM GOVERNMENTS EVIDENTIARY AND DISPOSITION HEARING MEMORANDUM by USA as to Douglas Spink re Set/Reset Hearings (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Masada, Steven) (Entered: 04/03/2014)
04/03/2014	<u>107</u>	SUPPLEMENT HEARING WITNESS LIST by USA as to Douglas Spink re <u>106</u> Memorandum (Masada, Steven) (Entered: 04/03/2014)
04/03/2014		Reset Hearings as to Douglas Spink: At defense cnsl's request, Evidentiary Hearing on Revocation of Supervised Release reset for 5/9/2014 at 9:30 AM before Judge Ricardo S. Martinez. (LW) (Entered: 04/03/2014)
05/06/2014	<u>108</u>	SENTENCING MEMORANDUM and Motion to Depart from Sentencing Guidelines by Douglas Spink (Attachments: # <u>1</u> Exhibit)(Phillips, Howard) (Entered: 05/06/2014)

05/08/2014	<u>109</u>	SUPPLEMENT by USA as to Douglas Spink re <u>106</u> Memorandum (Attachments: # <u>1</u> Exhibit C)(Masada, Steven) (Entered: 05/08/2014)
05/09/2014	<u>110</u>	Minute Entry for proceedings held before Judge Ricardo S. Martinez– CRD: <i>Lowell Williams</i> ; AUSA: <i>Steven Masada</i> ; Def Cnsl: <i>Howard Phillips</i> ; USPO: <i>Steven Gregoryk</i> ; Court Reporter: <i>Nancy Bauer</i> ; Time of Hearing: 9:30 AM; FINAL HEARING RE REVOCATION OF SUPERVISED RELEASE as to Douglas Spink held on 5/9/2014. Dft admits violations 2–4. Govt moves to dismiss violation 1; motion granted. Court revokes term of supervision and imposes 9 months custody. No supervision to follow. Dft requests halfway house placement recommendation to BOP; motion denied. Dft remanded to custody. (LW) (Entered: 05/09/2014)
05/09/2014	<u>111</u>	JUDGMENT ON REVOCATION OF PROBATION/SUPERVISED RELEASE as to Douglas Spink by Judge Ricardo S. Martinez. (cc: USPO, FLU, Fin.,USMO Sea Tac Det) (LW) (Entered: 05/09/2014)
06/05/2014	<u>112</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of the revocation hearing held on 5/9/2014 before Judge Ricardo S. Martinez. Parties have ten (10) calendar days to file with the court a Notice of Intent to Request Redaction of this transcript. If no such notice is filed, the transcript may be made remotely electronically available to the public without redaction after 90 calendar days. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Information regarding the policy can be found on the court's website at www.wawd.uscourts.gov. To purchase a copy of the transcript contact court reporter Nancy Bauer by telephone at 206–370–8506. or by e–mail at nancy_bauer@wawd.uscourts.gov. Release of Transcript Restriction set for 9/3/2014, (NB) (Entered: 06/05/2014)